

FILED  
Clerk  
District Court  
MAY 09 2024

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

for the Northern Mariana Islands  
By   
(Deputy Clerk)

IMPERIAL PACIFIC INTERNATIONAL (CNMI), LLC

Case No. 1:24-cv-00001

Plaintiff,

v.

COMMONWEALTH OF THE NORTHERN  
MARIANA ISLANDS; COMMONWEALTH CASINO  
COMMISSION; ARNOLD PALACIOS, Governor of  
CNMI, in his official capacity; EDWARD C. DELEON  
GUERRERO, Chairman of CCC, in his official and  
personal capacities; RAFAEL S. DEMAPAN, Vice  
Chairman of CCC, in his official and personal capacities;  
MARIANO TAITANO, Commissioner of CCC, in his  
official and personal capacities; MARTIN MENDIOLA,  
Commissioner of CCC, in his official and personal  
capacities; RAMON M. DELA CRUZ, Commissioner of  
CCC, in his official and personal capacities; and  
ANDREW YEOM, Executive Director of CCC, in his  
official and personal capacities,

Defendants.

ORDER

(1) GRANTING MOTION  
TO EXTEND TIME TO FILE  
OPPOSITIONS TO MOTIONS TO  
DISMISS, AND

(2) DENYING REQUEST FOR  
EXTENSION OF TIME TO FILE  
MOTION FOR LEAVE TO FILE A  
SECOND AMENDED  
COMPLAINT

Before the Court is Plaintiff Imperial Pacific International (CNMI), LLC's ("IPI"), Motion to Extend Time Under Local Rule 7.1(f) to Respond to Motions to Dismiss. ("Mot.," ECF No. 44.) In addition to seeking an extension of time to file oppositions to the several motions to dismiss (ECF Nos. 39-42), IPI "moves the court to grant two weeks extension for Plaintiff to comply with Local Rule 15.1 to file and serve the Motion for Leave to File the Second Amended Complaint (SAC) no later than May 18, 2024 . . . ." (Mot. 3.) Defendant Arnold Palacios filed an Opposition to IPI's Motion. (Opp., ECF No. 45.)

Pursuant to Local Rule 7.1, the Court GRANTS IPI's Motion for an extension of time to file oppositions to Defendants' Motions to Dismiss for GOOD CAUSE shown and DENIES IPI's request for an extension of time to file a motion for leave to file a second amended complaint.

Federal Rule of Civil Procedure 6(1)(b) dictates that "[w]hen an act may or must be

1 done within a specified time, the court may, for good cause, extend the time with or without  
2 motion or notice if the court acts, or if a request is made, before the original time or its  
3 extension expires.” “[R]equests for extensions of time made before the applicable deadline has  
4 passed should ‘normally . . . be granted in the absence of bad faith on the part of the party  
5 seeking relief or prejudice to the adverse party.’” *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d  
6 1253, 1259 (9th Cir. 2010) (quoting 4B Charles Alan Wright & Arthur R. Miller, Federal  
7 Practice and Procedure § 1165 (3d ed. 2004)).

8 The Court finds that there is no evidence of bad faith by IPI and that there would be no  
9 prejudice to adverse parties if the Court were to grant the extension. As such, the Court grants  
10 IPI’s motion for extension of time to file oppositions to the motions to dismiss (ECF Nos. 39-  
11 42). IPI must file its oppositions by **May 17, 2024**.

12 Pursuant to Rule 15(a)(2), “a party may amend its pleading only with the opposing  
13 party’s written consent or the court’s leave. The court should freely give leave when justice so  
14 requires.” IPI indicates that Defendants Commonwealth of the Northern Mariana Islands and  
15 Palacios opposes the extension request, and the other Defendants did not respond to its  
16 inquiries. (Mot. 3; Opp. 1.) IPI requests two weeks to comply with Local Rule 15.1— “[a] party  
17 who moves to amend a pleading must attach the amendment to the motion”—and to file and  
18 serve a second amended complaint on Defendants. However, neither Federal Rule of Civil  
19 Procedure 15(a)(2) nor this district’s Local Rules impose a deadline to file a motion for leave to  
20 file a second amended complaint. As such, the motion is denied as to this aspect. If IPI decides  
21 to file a motion for leave to amend its first amended complaint, the Court will consider the  
22 motion when it is properly before the Court.

23 IT IS SO ORDERED this 9<sup>th</sup> day of May 2024.

24  
25 \_\_\_\_\_ /s/  
26 David O. Carter  
27 DESIGNATED JUDGE  
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